

SENATE BILL REPORT

SSB 5199

As Amended by House, April 14, 2009

Title: An act relating to public water supply system operators.

Brief Description: Modifying provisions regarding the operators of public water supply systems.

Sponsors: Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Morton, Rockefeller and Shin; by request of Department of Health).

Brief History:

Committee Activity: Environment, Water & Energy: 1/27/09 [DPS].

Passed Senate: 3/02/09, 47-0.

Passed House: 4/14/09, 97-0.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: That Substitute Senate Bill No. 5199 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Marr, Morton and Sheldon.

Staff: Karen Epps (786-7424)

Background: A Group A water system or a public water system using a surface or ground water supply under the direct influence of surface water are required to have a certified operator. The Department of Health (Department) oversees the operator certification process. The Department may revoke an operator's certificate for violations involving the portion of the public water system that stores, transmits, pumps, and distributes water to consumers or the public water system's treatment facilities.

Backflow assembly testers and cross-connection control specialists are currently regulated under the Department's general authority to protect public water systems. A backflow assembly tester inspects, tests, and monitors backflow assemblies that protect a public water system. A cross-connection control specialist develops and implements cross-connection control programs.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill: Backflow assembly testers and cross-connection control specialists must be certified by the Department. If the Department requires an examination as a prerequisite for the issuance of a certificate for a backflow assembly tester, a certified operator, or a cross-connection control specialist, the Department must offer the examination in both eastern and western Washington.

The Department may immediately revoke or suspend a certificate for fraud, deceit, or gross negligence involving the operation or maintenance of a public water system, or in inspecting, testing, maintenance, or repair of backflow assemblies, devices, or air gaps intended to protect a public water system from contamination, if the certificate was obtained fraudulently, or if there is an intentional violation of the rules of the Department.

Appropriation: None.

Fiscal Note: Requested on January 30, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Without passage of this bill, due to lengthy due process periods, public health may be at risk from operators, backflow assembly testers, and cross-connection control specialists who are not doing their job properly. This bill makes the definition of a Group A water system consistent with federal law. This bill would require backflow assembly testers and cross-connection control specialists to be certified in the same manner as certified operators. This would protect public health by making sure the potable water system is protected from infiltration from irrigation water.

Persons Testifying: PRO: Gregg Grunenfelder, Department of Health; Robert Hunter, Kitsap PUD; Bruce Beauchene, City of Kennewick.

House Amendment(s): Clarifies that requirements for specialty plumbers apply to backflow assembly testers who work on the system inside a building. Requires a Group A water system that serves less than 100 connections and purchases water from another water system to measure for chlorine residuals when the water system takes samples for coliform.